

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

B.P.J. by her next friend and mother, HEATHER JACKSON,

Plaintiff,

v.

WEST VIRGINIA STATE BOARD OF EDUCATION, HARRISON COUNTY BOARD OF EDUCATION, WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION, W. CLAYTON BURCH in his official capacity as State Superintendent, DORA STUTLER in her official capacity as Harrison County Superintendent, and THE STATE OF WEST VIRGINIA,

Defendants,

and

LAINIEY ARMISTEAD,

Defendant-Intervenor.

Civil Action No. 2:21-cv-00316

Hon. Joseph R. Goodwin

DECLARATION OF TARA L. BORELLI

I, Tara L. Borelli, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am an attorney at Lambda Legal and counsel of record for Plaintiff B.P.J, with her next friend and mother, Heather Jackson. The following is true of my own personal knowledge, and, if called as a witness, I would and could testify competently thereto.

2. I submit this declaration in support of Plaintiff B.P.J.'s Motion *in Limine* to Exclude Evidence and/or Argument Intended to Undermine Plaintiff's Gender Identity and Supporting Memorandum of Law, and in support of Plaintiff B.P.J.'s Motion *in Limine* to Exclude Evidence and/or Argument Regarding Plaintiff's Medical Records and Supporting Memorandum of Law.

3. Attached to this declaration is a true and correct copy of "Order Granting Petition

for Change of Name,” issued on June 2, 2022 in *In re Change of Name of [] Pepper-Jackson* (Circuit Court of Harrison County, West Virginia) (Exhibit A).

4. Sensitive, protected, and irrelevant information has been redacted on certain pages of the attached exhibit in accordance with Federal Rule of Civil Procedure 5.1(a) and Local Rule of Civil Procedure 5.2.1.(a), with black boxes placed over the redacted text.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on June 22, 2022

/s/ Tara L. Borelli
Tara L. Borelli

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION

B.P.J. by her next friend and mother, HEATHER JACKSON,

Plaintiff,

v.

WEST VIRGINIA STATE BOARD OF
EDUCATION, HARRISON COUNTY BOARD
OF EDUCATION, WEST VIRGINIA
SECONDARY SCHOOL ACTIVITIES
COMMISSION, W. CLAYTON BURCH in his
official capacity as State Superintendent, DORA
STUTLER in her official capacity as Harrison
County Superintendent, and THE STATE OF
WEST VIRGINIA,

Defendants,

and

LAINY ARMISTEAD,

Defendant-

Intervenor.

Civil Action No. 2:21-cv-00316

Hon. Joseph R. Goodwin

CERTIFICATE OF SERVICE

I, Loree Stark, do hereby certify that on this 22nd day of June, 2022, I electronically filed a true and exact copy of ***Declaration of Tara L. Borelli*** with the Clerk of Court and all parties using the CM/ECF System.

/s/ Loree Stark

Loree Stark

West Virginia Bar No. 12936